

(1) Such modification will contribute to a more effective program for economic development within such area; and

(2) There is a request in writing which:

(i) Outlines the exact extent of the boundary adjustment;

(ii) States how the absence of the boundary adjustment would impede the implementation of the approved OEDP;

(iii) States why a specifically proposed project cannot be located within the existing boundaries of the designated redevelopment area; or

(iv) States other reasons why a boundary adjustment is needed.

(3) The interested State official or agency is informed and given opportunity to submit comments on and endorse or not endorse the request.

(b) Additional areas will be included within the redevelopment area only if such inclusion is necessary to meet program requirements for a project.

Subpart D—Notice

§ 301.16 Notification of public officials.

(a) EDA shall notify local, State, and national officials when an area:

(1) Qualifies for designation under criteria set forth in subpart A of this part;

(2) Is designated; and/or

(3) Has its designation modified or terminated.

(b) [Reserved]

PART 302—ECONOMIC DEVELOPMENT DISTRICTS

Subpart A—Standards for Designation, Modification and Termination of Economic Development Districts

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Subpart A—Standards for Designation, Modification and Termination of Economic Development Districts

§ 302.1 Authorization of economic development districts.

(a) EDA may authorize, at the request of the Governor(s) of the State or States, the delineation of proposed district boundaries as a prerequisite to designation as an economic development district and as a prerequisite to the provision of planning grants under part 307 of this chapter.

(b) Authorization of delineation may be made:

(1) Where the State or States, after analyzing economic and social relationships among the various redevelopment area counties, propose a boundary delineation for the proposed district;

(2) Where the proposed district meets the general standards for designation set forth in § 302.2;

§ 302.2

(3) Where a consideration of the following factors has been made:

(i) The percentage of the population living in redevelopment areas;

(ii) Per capita income in the proposed district;

(iii) The percentage of families with annual income below the poverty threshold;

(iv) Unemployment rates and labor force participation rates of the proposed district;

(v) Economic characteristics of growth centers; and

(vi) The proposed district's readiness to hire a professional staff and begin work.

(4) Where the boundaries conform to an officially delineated sub-State district or where the Governor has provided EDA with an explanation of and support for any variation of the officially delineated sub-State district.

§ 302.2 Designation of economic development districts.

EDA is authorized to designate proposed districts as economic development districts (EDDs) with the concurrence of the States in which the EDDs will be wholly or partially located when the proposed district meets the following requirements:

(a) It is of sufficient size or population, and contains sufficient resources, to foster economic development on a scale involving more than a single redevelopment area;

(b) It contains at least one redevelopment area;

(c) It contains one or more redevelopment areas or economic development centers identified in an approved district overall economic development program (hereinafter OEDP) as having sufficient size and potential to foster the economic growth activities necessary to alleviate the distress of the redevelopment areas within the district;

(d) It has an OEDP which identifies one or more proposed growth centers, includes adequate land use and transportation planning, contains a specific program for district cooperation and public investment and is approved by the State or States affected and by EDA;

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(e) When at least three-fourths of the counties within the proposed district boundaries have submitted documentation of their commitment to support the economic development activities of the district;

(f) A district organization has been established by the proposed district which meets the requirements of § 302.4; and

(g) The proposed district organization requests such designation.

§ 302.3 Designation of nonfunded districts.

Designation is not limited to districts receiving EDA planning grants. However, the continuing designation of any nonfunded EDD is subject to the same criteria and organization requirements applicable to funded districts.

§ 302.4 District organizations.

(a) The district organization is a prerequisite to the awarding of a planning grant and to the initial designation of EDDs. The District shall be organized in one of the following manners:

(1) As non-profit organizations incorporated under the laws of the States in which they are located;

(2) As public organizations through intergovernmental agreements for the joint exercise of local government powers; or

(3) As public organizations established under State enabling legislation for the creation of multijurisdictional area wide planning organizations.

(b) Each proposed district or EDD organization must meet EDA requirements concerning its membership composition as set forth in § 302.4(c), its authorities and responsibilities for carrying out economic development functions as set forth in § 302.5, and the maintenance of adequate staff support to perform its economic development functions as set forth in § 302.4(d). Such requirements must be met by the board of directors (or other governing body of the organization) as a whole.

(c) The proposed district or EDD organization shall demonstrate that it meets all of the following requirements:

(1) It is broadly representative of the following interests: